

J.R. Casillas
Peter F. Lacny
DATSOPOULOS, MacDONALD & LIND, P.C.
Central Square Building
201 West Main Street, Suite 201
Missoula, Montana 59802
Telephone: (406) 728-0810
Facsimile: (406) 543-0134
jrcasillas@dmllaw.com; placny@dmllaw.com
areiber@dmllaw.com; kwitt@dmllaw.com

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

ESTATE OF
RICHARD DAVID RAMIREZ, by and
through Personal Representative Julio
Ramirez; RICHARD JORDAN
RAMIREZ, by and through Conservator
Julio Ramirez; and, JULIO RAMIREZ;

Plaintiffs,

v.

CITY OF BILLINGS, a municipal
corporation of the State of Montana;
OFFICER GRANT MORRISON;
CHIEF RICH ST. JOHN; JOHN DOES
1-10; and CORPORATIONS A-J;

Defendants.

No. CV-17-52-BLG-SPW

**STATEMENT OF
STIPULATED FACTS**

Plaintiffs submit this Statement of Stipulated Facts in accordance with L.R. 16(b)(3).

1. Prior to his death the decedent, Richard David Ramirez, was at all times relevant a resident of Billings, Yellowstone County, Montana.

2. Defendant, City of Billings (“City”), is a municipal corporation organized and existing under the laws of the State of Montana. The City is a political subdivision of the State of Montana. The City is located in Yellowstone County, Montana. The Billings Police Department (“BPD”) is a law enforcement agency of the City.

3. Defendant, Chief Rich St. John is and at all times relevant was the Chief of Police at the BPD.

4. Defendant, Officer Grant Morrison, is and at all times relevant was employed by the City.

5. On April 14, 2014, Officer Morrison was on duty and working patrol on the night shift. Officer Morrison’s shift began at 9:00 p.m.

6. Officer Morrison was driving a marked Billings Police Department patrol vehicle.

7. As Officer Morrison was traveling southbound on South 34th Street in Billings, he saw a vehicle traveling westbound on 6th Avenue South.

8. Officer Morrison observed four (4) people in the vehicle.

9. The vehicle pulled into an alley, and Officer Morrison then activated his overhead lights and shined his spotlight on the vehicle.
10. Officer Morrison exited his vehicle and approached the right rear passenger.
11. The decedent, Richard David Ramirez, was located in the right rear passenger seat.
12. It was subsequently determined the decedent was unarmed.
13. A search of the vehicle and occupants revealed no firearms or other weapons.
14. The decedent was thirty-eight (38) years old at the time of his death.

DATED this 19th day of July, 2017.

Attorneys for Plaintiffs

By: /s/ J.R. Casillas

J.R. Casillas

Peter F. Lacny

Datsopoulos, MacDonald & Lind, P.C.

201 West Main Street, Suite 201

Missoula, Montana 59802

Phone: 406/728-0810

Fax: 406/543/0134

e-mail: jrcasillas@dmlaw.com
placny@dmlaw.com

CERTIFICATE OF SERVICE

I, J.R. Casillas, one of the attorneys for the law firm of Datsopoulos, MacDonald & Lind, P.C., hereby certify that on the 19th day of July, 2017, I served a true and correct copy of the foregoing document by ECF Electronic Filing to:

Gerry P. Fagan
Adam Warren
Moulton Bellingham, P.C.
27 North 27th Street, Suite 1900
P.O. Box 2559
Billings, Montana 59101

Harlan B. Krogh
Crist Krogh & Nord, PLLC
2708 1st Avenue North
Billings, Montana 59101